



TERMS AND CONDITIONS

Filming and Still Photography

Permits issued are subject to the conditions outlined in this form. Any breach of any of these conditions may result in the permit being withdrawn and future applications refused.

Subject to the location and nature of filming and still photography, there could be further conditions and/or approvals required. Each application is assessed individually on its merits and in conjunction with other local government area activities or events.

AIRCRAFT

The use of planes and helicopters should be in accordance with the Fly Neighbourly Policy and follow all necessary safety procedures required. If any aircraft (including helicopters) are to be used any requirements specified by Civil Aviation Safety Authority (CASA) are adhered to.

Planes or helicopters can only be landed in locations specifically approved for such use under Council's zoning conditions.

The applicant shall advise all emergency services and transport companies of details of the proposed shoot.

AMPLIFICATION/NOISE

Amplification is prohibited. No amplification of any form is to be used, including loud hailers and/or megaphones. Any breach of noise regulations as contained in the approval may result in Council taking action under the Protection of the Environment Operations Act 1997.

All sound producing plant, equipment or machinery shall be operated so as not to cause an 'offensive noise' as defined in the Protection of Environment and Operations Act. Generators must be silenced.

APPROVAL/NON COMPLIANCE

On approval the applicant will be given a confirmation letter. This letter must be kept on location at all times and made available to Council's Rangers and Officers upon request.

Permits are non-transferable.

Council's Ranger Services Department will be advised of your approval and will patrol the site. Infringement notices can be issued for non-compliance. Depending on the nature of the non-compliance, your approval may be withdrawn and the production shut down.

APPROVALS FROM OTHER GOVERNING AUTHORITIES

Where filming requires the approval of other governing authorities such as the Police, Roads and Maritime Services (RMS), etc, the applicant is to obtain their approval and provide the approval details with their application to Council.

Harbourside Area Command	Tel: (02) 9956 3199	nspactraf@police.nsw.gov.au
Roads and Maritime Services	Roads	tmc_filming@rta.nsw.gov.au
	Maritime	property.management@rms.nsw.gov.au
State Transit Authority	Tel: (02) 9245 5695	mediateam@sta.nsw.gov.au
National Parks & Wildlife	Tel: (02) 9585 6082	filming.photography@environment.nsw.gov.au
NSW Rural Fire Service	Tel: (02) 9898 1855	media@rfs.nsw.gov.au
NSW Fire & Rescue NSW	Tel: (02) 9265 2907	media@fire.nsw.gov.au
CASA	Tel: (02) 131 757	sydneyregion@casa.gov.au
Sydney Trains	Tel: (02) 8202 3760	media@transport.nsw.gov.au

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CLEANING

Filming locations must be left in a clean and tidy condition, both during and at the conclusion of the film shoot. Failure to comply will result in the cost of cleaning being passed on to the applicant.

CONSTRUCTION

Any building work associated with the filming/still photography/promotional event is to be advised in the application and may be subject to Council's normal building approval process.

COPYRIGHT

It is the applicant's responsibility to check whether copyright is attached to any objects that might be filmed/photographed (See Luna Park).

DANGEROUS MATERIALS

Applications must include how any dangerous material (defined by the Dangerous Goods Act 1975 NSW) will be stored at the film location e.g. any pyrotechnics, explosives or flammable materials. The application needs to include the details of the method/time of use and the suitability of the qualified person to conduct such events in accordance with the requirements of WorkCover NSW.

The NSW Fire Service must also be notified and any of their requirements adhered to.

DRONE/UAV USE

You must be CASA certified to operate a drone/UAV for a commercial purpose

Any use of an aerial vehicle such as a UAV for filming and/or photography for a commercial purpose must receive formal approval from the Council with the operator being fully licensed by CASA with all required documentation provided at time of application.

For all commercial UAV use the following documentation must be submitted:

- filming production and photography application form;
- CASA issued UAV operators certificate (UOC);
- CASA issued remote pilot certificate (RPC) for each proposed operator;
- aviation specific public liability insurance certificate;
- flight risk assessment;
- pedestrian management plan with the proposed pedestrian exclusion zone illustrated (30m etc. depending on the operator's licence);
- flight plan if operations are to deviate out of the 30m ground exclusion zone once airborne (maximum altitude must not exceed 400ft or 123m).

No take-off/landing sites on public land are permitted that cannot satisfy the basic conditions of a standard operators certificate.

All standard UAV operator certificates require an exclusion zone of 30m be enforced for all take-off/landing sites, with no operations permitted within 30m of any member of public at any time. As such, the take-off/landing site proposed must be able to satisfy this minimum requirement with scaled exclusion zones illustrated upon a pedestrian management plan to be included with all applications.

Additional restrictions of use - Further documentation must be submitted for all additional operations as listed below:

- within 3 nautical miles or 5.5kms of an airport requires specific CASA approval.
- at night requires specific CASA approval.
- within restricted airspace requires specific approval from the controlling authority.
- within military airspace requires military approval (LOA) and CASA approval.
- out of visual line of sight require specific CASA area approval.

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within less than 30m of a member of the general public requires a specific CASA issued operators exclusion.

All UAV operators must ensure that flights remain in line with the requirements of privacy legislation.

You can [download an area map that illustrates the 3 nautical mile exclusion zone](#) for all drone/UAV flights surrounding towered airports in Sydney

Unauthorised commercial use - All operators found to be operating in breach of a council issued approval, in breach of CASA conditions of their operators certificate of operating without an approval will be stopped, possible infringement notices issued and all details provided to CASA for further action.

Further information and licensing procedure queries can be directed to the Australian Civil Aviation Safety Authority or phone 131 757.

EMERGENCY ACCESS

The applicant should supply the details of filming to all emergency services: fire, ambulance, the police. Private and government bus companies are to be contacted if locations are on bus routes.

An access for emergency vehicles 4 metres wide shall be available at all times.

FIREARMS

Applications must include details of any firearms on site. Replica firearms, which do not result in the discharge of the firearm, are required. The use of firearms will only be considered under the following circumstances:

- Where a discharge is necessary, only blanks with no live fire of projectiles will be considered.
- All liability in regard to the use of firearms is borne by the applicant.
- At all times that a firearm or replica is on site, the applicant must ensure that firearm/s will be secured in a locked box in accordance with NSW Firearm regulations and any other laws that apply. The only exception is when filming or in the care of the qualified licensed armourer.
- A qualified licensed armourer is on site to supervise and conduct all handling in compliance with regulations as per industry standards.
- Police to be notified.
- Signs to be placed in the vicinity.

FOOTPATHS AND PEDESTRIAN SAFETY

The safe and convenient movement of pedestrians must not be impeded. The applicant must ensure that a minimum of 1.8 metres clear width along the footpath is made available for pedestrians. This must not be obstructed. Equipment and materials must not be left on the footpath, roadway or in any way that inconveniences public use of the area.

Normal pedestrian and vehicle access should be maintained at all times. This means driveways and building entrances should not be obstructed, and equipment should not be placed in building vestibules or on private property unless consent is given by the building owners. In general, normal business activities should not be disrupted.

Responsibility for pedestrian and other road users' safety rests with the applicant for the full duration of the permit.

Any cable must either be covered with appropriate cable ramps or strung over the footway with a minimum clearance of 2.5m.

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FOOTPATH AND ROAD CLOSURES

Council is responsible for ensuring that any filming activities on footpaths and roads are positioned and managed safely for vehicles and pedestrians, and to minimise disruption.

If there is any impact or disruption to traffic or pedestrians, this must be managed in an appropriate manner. A Traffic Management Plan will be required. This plan assesses an activity's impact on traffic, pedestrians and the surrounding area. It describes the activities being proposed, their impact on the general area (including public transport passengers, cyclists, pedestrians, motorists and commercial operations) and how these impacts are being addressed.

Motorists or pedestrians who have legitimate business within the closed section of the roadway must be allowed access. The filming/road closure area must be able to be cleared at short notice, should an emergency situation arise.

A Traffic Control Plan outlines the steps to be taken to make the work (film) site safe for motorists and pedestrians, and includes details for signage and any necessary traffic control. An appropriate Traffic Control Plan must be prepared by an appropriately qualified person, holding an RMS "Design and Inspect Traffic Control Plans" (Orange) ticket. The Traffic Control, on the day of filming, must be set out by an appropriately qualified person, holding an RMS "Select/Modify Traffic Control Plants" (Red) ticket.

Council does NOT approve TCPs. If a TCP is submitted with the application it is viewed as a document containing information about the impacts on traffic flow only and is not evaluated from the viewpoint of risk assessment or Work Health and Safety (WHS). If a permit is granted, it does not imply approval of the TCP.

If temporary road closure is required as part of the film application, a separate "Permit to Stand Plant and/or Road Closure" application must be submitted. Details regarding the requirements for a temporary road closure are provided on this application. Any temporary road closure will require approval from the North Sydney Traffic Committee, which may take up to six weeks. For an application form for a road closure see the Council's website under Services/Road Opening or Closure www.northsydney.nsw.gov.au

LICENCES

All necessary licences and certificates for staff and contractors employed by the applicant must be supplied. This may include, but is not limited to, the operation of helicopter flights, jet-ski activities and amusement devices.

Under no circumstances is permission granted for activities not specified in your application.

LIGHTING

Any lights must be directed away from any roads, motorists and residences.

LUNA PARK/ BOARDWALK ADJACENT TO NORTH SYDNEY OLYMPIC POOL (NSOP)

The 'Pool Boardwalk' is the paved strip of land between NSOP and the harbour foreshore, east of Luna Park. Filming/still photography is permitted in this area subject to Council's approval.

- Your proposed activity must be discussed with businesses within close proximity (to ensure any concerns they may have are addressed).

Local businesses include:

Luna Park	Tel: (02) 9922 6644
North Sydney Pool	Tel: (02) 9955 2309
Ripples Restaurant	Tel: (02) 9929 7722
Aqua Dining	Tel: (02) 9964 9998

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N.B.: The Luna Park Face is registered as a trademark. If you wish to film/photograph the face or, include Luna Park in the backdrop, you will need to seek additional 'film' approval from Luna Park.

NORTH SYDNEY OLYMPIC POOL (NSOP)

Given the sheer nature of the NSOP environment, Council must give due consideration to its patrons' rights (Adults and Children) of a reasonable degree of privacy and non-consensual or incidental exposure.

In preservation of this, the facility operates in accordance with the following Acts:

- Privacy
- Child Protection

Access to the area/site will take into consideration these important factors and whether exclusive use of the site (inclusive of applicable hire fees) may be necessary for the purpose requested.

NOTIFICATION LETTER

All residents and local businesses within the permit's vicinity are to be notified in writing by the applicant at least three (3) days prior to the activity commencing.

A copy of the resident notification letter must be included with your application. The notification letter must be on company letterhead and include the following:

- Date, time and location of the proposal
- An onsite contact/mobile number
- A brief description of what will be occurring on site
- A wet weather back up date (if applicable)
- If barricading is required (from day/time to day/time)
- The total number of parking spaces required
- An undertaking all noise will be kept to a minimum

N.B.: Council will need to approve the resident letter before it is distributed.

PARKING

Refer RMS Filming Projects - Guidelines for Parking and Road Closures.

PARKS AND RESERVES

No trees, shrubs or other vegetation is to be removed, lopped or damaged in any way.

The park rule signs must be respected at all times.

Vehicles are not permitted on council parks/reserves under any circumstances.

PRIVATE PROPERTY AND RESIDENT CONSENT

Owner consent is required to film/photograph private property. Where filming/still photography is confined entirely to private property, no fee will be charged.

PROBLEMS ON THE DAY

Should you experience any problems please call Council's Film Contact Officer on (02) 9936 8200. After hours the Rangers can be paged on (02) 9936 8100 (Council's main switchboard number). The operator will take your details and immediately relay the information to the Ranger Services Department.

PUBLIC AREAS

The permit does not give exclusive use or the right over another group. It is possible that other persons will be using public areas. This may be a risk if carrying out activities where a specific location or quiet is needed. Should this occur, Council is unable to give you a refund and/or credit.

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In public areas it is possible that you could be affected by surrounding activities and/or noise. In addition emergency works could be carried out in the area (e.g. by Sydney Water etc). Emergency works are under no obligation to notify council.

RISK MANAGEMENT AND, WORK HEALTH AND SAFETY (WHS)

Stringent safety requirements apply to the screen industry, especially in regard to special effects, stunts, firearms and weapons. Only appropriately qualified people are permitted to operate in these fields. Filmmakers must be able to satisfy Council that they hold the necessary licences and permits for the proposed activities. Filmmakers undertake hazard and risk assessments of any locations or premises in which they propose to make screen productions.

SAFETY AT SITE

The applicant will ensure that the site complies with all occupation safety requirements of WorkCover NSW.

All conditions must be met under the applicant's insurance policy.

WET WEATHER

A wet weather option must be included when you lodge your application. The date is then transferable in the event of wet weather at no extra cost. If it rains on the day, applicants are required to contact Council by email before the commencement time to advise the activity is unable to proceed because of wet weather.

WHARVES

Additional approval may also be required if filming is on a wharf. There are a number of wharves in the North Sydney Council local government area. Some are under the jurisdiction of other governing authorities.

PARKING PERMITS

Parking Permits enable the applicant to stand a nominated vehicle (e.g. catering truck) for up to 24 hours in the area specified on the application form.

BARRICADING

Parking spaces can be barricaded to identify the bay has been 'reserved' but only when used in conjunction with a Parking Permit. **N.B.:** Council is unable to prevent others from parking in front of or, removing the barricade(s). This needs to be taken into consideration if you require a guarantee that the location will still be available on your arrival.

CANCELLATION

Permits are subject to cancellation at any time if any of the conditions are not complied with.

ERECTION OF WARNING SIGNS AND BARRICADES

The applicant must erect suitable warning signs and barricades in the area where the unit is being operated. The roadway must be properly marked with an adequate number of traffic lane markers to control the flow of traffic.

POLICE NOTIFICATION

Applicants must also notify Harbourside Area Command on (02) 9969 1933 to advise them of the intended activity and to obtain approval for use of all roads and road related areas.

PUBLIC AND SITE SAFETY / ACCESS

Equipment must not be left on the footpath, roadway or in any way that inconveniences public use of the area.

All traffic control shall be in accordance with the RMS Manual - Traffic Control at Work Sites, based on the Australian Standard AS 1742.3.

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A Traffic Control Plan (TCP) is a document that shows how traffic, both pedestrian and vehicular, is to be safely separated from workers at the work site or work route. It is intended as an instruction from the supervisor to the site crews and is usually in the form of a diagram showing the road conditions (lanes, signs etc.) and how the traffic is to be managed around the site/activities (temporary signs, posting of traffic control staff, etc.)

A TCP is a WHS requirement of a work site and must be held on site. A TCP should comply with AS 1742.3 to comply with the WHS Act.

An applicant may use a specialist sub-contractor to develop the TCP, but safety remains the responsibility of the applicant.

Council does NOT approve TCPs. If a TCP is submitted with the application it is viewed as a document containing information about the impacts on traffic flow only and is not evaluated from the viewpoint of risk assessment or WHS. If a permit is granted, it does not imply approval of the TCP.

ROAD OCCUPANCY LICENCE

A Road Occupancy Licence must be obtained from the RMS for any permits on State or Secondary roads, and any permits on local roads within 100m of traffic lights. A Permit to exceed Dimensions approval must be obtained from the RMS.

TRAFFIC REGULATIONS

Permit holders should note that normal traffic regulations apply to all permits issued. This includes enforcement of clearways during signposted times.

Where lifting takes place over an area not protected by a barricade, a traffic controller must be available to control pedestrian and motor vehicle traffic, in accordance with Australian Standard AS 1742.3 for traffic control.